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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

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ART UNIT

PAPER NUMBER

2757

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/087552

Applicant(s)

Hawkins et al.

Examiner

Hien C. LE

Group Art Unit

2757

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-16 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-16 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3, 4
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-5, 7-10, 12-16 are rejected under 35 U.S.C. 102(e) as anticipated by Pepe et al. [US. Pat. No. 5,673,322].

As to claim 1, Pepe discloses a device for providing wireless Internet access

(fig. 2) comprising:

-an antenna (fig. 2, item 60), the antenna for receiving a set of wireless queries and transmitting a set of wireless responses (col. 7, lines 26-29); and

-a program (fig. 2, item 54), the program is for converting the set of wireless queries into Internet compatible protocols, the program is further for receiving a set of Internet protocol formatted responses corresponding to the set of wireless queries, the program is further for converting the set of Internet protocol formatted responses into the set of wireless responses (fig. 3, item 54, col. 7, lines 15-17 & col. 8, lines 17-20).

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As to claim 2, Pepe further discloses wherein the device includes a computer (fig. 2, item 52) with a transceiver card (fig. 2, item 58), the transceiver card is coupled to the antenna, the computer has a connection to the Internet (fig. 2, item 54), the computer and the transceiver card are for executing the program (col. 7, lines 15-30).

As to claim 3, Pepe further discloses wherein the computer includes a network server (fig. 2, item 56, col. 7, lines 19-23).

As to claim 4, Pepe further discloses wherein the computer includes personal computer acting as a client a local area network, the local area network being coupled in communications with the Internet (col. 2, lines 10-11 & col. 13, line 31).

As to claim 5, Pepe further discloses including a computer (fig. 2, item 52) and an external transceiver (fig. 2, item 58), the external transceiver includes the antenna, the external transceiver being coupled in communications with computer, the computer has a connection to the Internet (fig. 2, item 54), the computer and the external transceiver are for executing the program (col. 7, lines 15-30).

As to claim 7, Pepe further discloses wherein each wireless query of a subset of the set of wireless queries includes a corresponding web site identifier, and wherein the program is for converting the each wireless query of the subset into one or more of HTTP requests, the HTTP requests being addressed for the web site identified by the web site identifier (col. 7, lines 50-57).

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As to claim 8, Pepe further discloses wherein each wireless query of a subset of wireless queries includes a secure query, and wherein the program is for forwarding converting and forwarding each wireless query of the subset to a proxy server (col. 7, lines 24-38).

As to claim 9, Pepe discloses a wireless access device for accessing Internet based information, the wireless access device comprising:

- a transceiver for receiving a set of wireless queries and transmitting a set of wireless responses (fig. 2);
- a computer (fig. 2, item 52), the computer being coupled to the transceiver (fig. 3; item 58).
- a program (fig. 2, item 54), the program is for converting the set of wireless queries into Internet compatible protocols, the program is further for receiving a set of Internet protocol formatted responses corresponding to the set of wireless queries, the program is further for converting the set of Internet protocol formatted responses into the set of wireless responses (fig. 3, item 54, col. 7, lines 15-17 & col. 8, lines 17-20).

As to claim 10, Pepe further discloses wherein the transceiver is coupled to the computer via a PCI bus connection (col. 8, lines 52-53).

As to claim 12, Pepe further discloses a device for providing wireless Internet access comprising:

- first means (fig. 2, item 60) for receiving a set of wireless queries and transmitting a set of wireless responses (col. 7, lines 26-29); and
- second means (fig. 2, item 54), for converting the set of wireless queries into Internet

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compatible protocols, the second means is further for receiving a set of Internet protocol formatted responses corresponding to the set of wireless queries, the second means is further for converting the set of Internet protocol formatted responses into the set of wireless responses (fig. 3, item 54, col. 7, lines 15-17 & col. 8, lines 17-20).

As to claim 13, Pepe further discloses a wireless communications device comprising:

- a transceiver (fig. 2, item 58) for wireless communications over at least a first wireless network and a second wireless network (col.7 ,lines 15-30);
- a memory for storing a program and a set of data, the set of data including a set of markup language formatted descriptions, the set of data being previously installed on the wireless communications device (col. 12, lines 25-45); and
- a program for accessing the set of data and for rendering a form from the set of data, the program further for supporting input into the wireless communications device, the input for completing the form, the program further for generating a wireless communications query corresponding to the form (fig. 3, item 54, col. 7, lines 15-17 & col. 8, lines 17-20).

Pepe is silent about a processor, the processor being coupled in communications with the antenna and the memory, the processor for executing the program. However, this step is functionally inherent in Pepe's method because a stored program is executed in the mobile terminal 52 (laptop) and a processor should be used to execute the stored program.

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As to claim 14, Pepe further discloses wherein the first wireless network corresponds to a private wireless data packet network (Fig. 2, items 60, 62) and the second wireless network corresponds to a wireless connection to a computer coupled to a network (fig. 2, item 52).

As to claim 15, refer to claim 3 rejection.

As to claim 16, refer to claim 4 rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, & 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al. [US. Pat. No. 5,673,322].

As to claim 6, Pepe discloses a transceiver is coupled to the computer (fig. 2, item 58 & 52). However, Pepe does not disclose that the transceiver is coupled to the computer via a Universal Serial Bus connection.

However, coupling an external transceiver or an I/O device to a computer via a Serial Bus connection, a Universal Serial Bus connection or a SCSI connection is well-known and standard in the art (Official Notice).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a well known and standard method of the art such as a Universal Serial Bus connection. The modification would have been motivated by conventional needs such as the availability of software, hardware, etc.

As to claim 11, refer to claim 6 rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 306-3101. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on (703) 308-7492. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hieu Le



VIET D. VU
PRIMARY EXAMINER